Message Text

UNCLASSIFIED

PAGE 01 BONN 13817 281751Z ACTION L-03

INFO OCT-01 EUR-12 ISO-00 SNM-05 SCS-06 SSO-00 /027 W $\,$

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O R 281432Z JUL 78

FM AMEMBASSY BONN

TO DEA WASHDC IMMEDIATE

SECSTATE WASHDC IMMEDIATE 0667

USMISSION USBERLIN IMMEDIATE

INFO AMEMBASSY PARIS

AMEMBASSY ROME

AMCONSUL HAMBURG

AMCONSUL MILAN

UNCLAS BONN 13817

POSTS FOR DEA; DEA HQS FOR ENM-CLOUD; SECSTATE FOR L; USBER FOR SURENA

E.O. 11652: N/A TAGS: SNAR. GW

SUBJECT: XG-78-0001 ANTONIO PELLICCIA ET AL

- 1. DEA SPECIAL AGENTS WILLIAM B. BOTTGER OF THE HAMBURG DISTRICT OFFICE AND JOHN COSTANZO OF THE MILAN DISTRICT OFFICE ARE KEY WITNESSES IN A NARCOTICS CASE AGAINST ANTONIO PELLICCIA ET AL (XG-78-0001) DA3-H3. THIS CASE WAS CONCLUDED IN FEBRUARY 1978 IN BERLIN, N GERMANY WITH THE SEIZURE OF 1 KILO OF HEROIN AND THE BERLIN PROSECUTOR HAS REQUESTED THAT THESE AGENTS APPEAR AS WITNESSES IN A TRIAL SCHEDULED TO BEGIN AUGUST 8, 1978 IN BERLIN. EMBASSY BONN PERCEIVES NO SUBSTANTIVE OBJECTION TO TESTIMONY BY THE ABOVE OFFICERS IN THESE PROCEEDINGS.
- 2. IT IS REQUESTED THAT DEA HQS COORDINATE WITH STATE DEPARTMENT AND GAIN NECESSARY APPROVAL FOR THE ABOVE UNCLASSIFIED

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REQUIRED TESTIMONY TO BE GIVEN.

3. UNLESS THE EMBASSY IS NOTIFIED TO THE CONTRARY BY CLOSE OF BUSINESS AUGUST 4, IT WILL BE ASSUMED THAT THERE IS AUTHORITY FOR BOTTGER TO AGREE TO TESTIFY DESPITE THE NON-OBLIGATION FOR HIM TO DO SO UNDER ARTICLE 44(3) OF THE VIENNA CONVENTION ON CONSULAR

RELATIONS. IT WILL ALSO BE ASSUMED THAT COSTANZO, WHO HAS NO FORMAL STATUS IN THE FRG, MAY APPEAR AS A WITNESS.

4. SO FAR AS THE SPECIAL SITUATION IN BERLIN IS CONCERNED, MISSION BERLIN IS REQUESTED TO ARRANGE FOR DEA BERLIN TO REMIND THE BERLIN COURT AND PROSECUTOR OF THE REQUIREMENT UNDER BERLIN LAW THAT THE BERLIN COURT MAKE APPROPRIATE APPLICATION TO THE MISSION FOR THE TESTIMONY OF USG OFFICIALS TO BE GIVEN.

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Subject: XG-78-0001 ANTONIO PELLICCIA ET AL

TAGS: SNAR, GE, US, (PELLICCIA, ANTONIO), (BOTTGER, WILLIAM B), (COSTANZO, JOHN)
To: DEA STATE

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